

REMARKS

This is in response to the Final Office Action dated October 19, 2009. With this response, claims 1, 9, 24, and 30 are amended and all pending claims 1-11 and 24-35 are presented for reconsideration and favorable action.

In the Office Action, the claims were rejected under 35 § U.S.C. 112. With this response, it is believed that objection over language has been removed and the rejection may be withdrawn.

Claims 1-3, and 8-10 were rejected based upon Stafford (US5763118) in view of Izaki (US2002/0113685). Claims 24-27 and 29 were rejected based upon Stafford and Iwasaki (US6325611) and further in view of Pajakowski (US6718425) and claims 30-33 and 35 were rejected based upon Stafford in view of Iwasaki and further in view of Kosh (US2003/0046974). It is believed that the amended claims are patentably distinct from these references.

With this amendment, the claims have been clarified that the invention is “intrinsically safe”. The term “intrinsically safe” is described in the background section of the instant specification. This is not shown by the cited references.

Further, the claims have been amended to clarify that in response to an electrical short circuit, the exterior of the device will not exceed 130°C. This is not shown in any of the cited references. For this additional reason, the rejection should be withdrawn.

With this response, the claims have been amended to clarify that the plurality of electrical energy storage cells are arranged parallel to one another and side by side in a row. A plurality of electrical interconnects are provided to connect adjacent electrical storage cells. A plurality of separation bars are positioned between adjacent electrical energy storage cells and between the plurality of electrical energy storage cells and the plurality of electrical interconnects. This reduces shorting as well as provide mechanical support. This configuration is now shown in the cited references.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment, including the Office Action’s characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for

patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejection claims in further prosecution of this or related applications.

In view of the above amendments and remarks, it is believed that the present application is in condition for allowance. Consideration and favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,
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